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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,701	03/29/2001	Naoya Fujisaki	826.1722	3142
21171	7590	12/22/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LEROUX, ETIENNE PIERRE	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/819,701		FUJISAKI, NAOYA	
	Examiner		Art Unit	
	Etienne P LeRoux		2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

Claim Status

Claims 1-18 are pending. Claims 1-18 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-8, 15, 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,208,991 to French et al (hereafter French).

Claims 1, 15, 16 and 18:

French discloses:

- a setting unit setting policy attribute data specifying file usage, determined by an administrative user in correspondence with path information of a directory [user-specific file/directory mappings 120a-120n, Fig 1B, col 3, lines 1-60]
- a file managing unit managing a file based on policy data composed of the path information of the directory and the policy attribute data [server 106, Figs 1A and 1B, col 3, lines 1-60]

Claim 2:

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French discloses a setting unit setting policy attribute data specifying file usage, determined by an administrative user, in accordance with path information of a directory [user-specific file/directory mappings 120a-120n, Fig 1B, col 3, lines 1-60], and an assigning unit assigning policy attribute data of a directory so as to be inherited to a subdirectory, or assigning specified policy attribute data indicating a policy on which file management is based to the subdirectory [user-specific files mapped to different locations for different users, col 2, lines 1-11]

Claim 3:

French discloses wherein information indicating whether or not to require a path search is registered in correspondence with the policy attribute data [col 3, lines 50-55].

Claim 4:

French discloses a control table storing information indicating a directory to be searched next, wherein pointer information pointing to a storage location within said control table is registered as policy attribute data of a directory [user-specific file mapping tables 120a-120n]

Claims 5 and 6:

French discloses wherein checkpoint information indicating path information of a directory yet to be generated is registered to said control table for the directory [userid col 4, lines 1-9].

Claim 7:

French discloses wherein when a name of a directory is changed, policy attribute data of a parent directory is inherited to a subdirectory if policy attribute data is not specified for the

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subdirectory, and specified policy attribute data is assigned to a subdirectory if the policy attribute data is specified for the subdirectory [col 2, lines 1-11]

Claim 8:

French discloses whether or not to require inheritance is predefined for the policy attribute data and policy attribute data of a parent directory is assigned so as to be inherited to a subdirectory if the policy attribute data of the parent directory is data which is requested to be inherited, or specified policy attribute data is assigned to the subdirectory if the policy attribute data of the parent directory is data which is not requested to be inherited [user's sensitive security and cookie data, col 4, lines 18-31]

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over French in view of US Pat No 6,185,574 issued to Howard et al (hereafter Howard).

Claim 12:

French discloses the elements of claim 1 as noted above but fails to disclose wherein when a file is stored in an archive file, policy data composed of path information of a directory and policy attribute data is stored in the archive file. Howard discloses wherein when a file is stored in an archive file, policy data composed of path information of a directory and policy

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attribute data is stored in the archive file [Howard, abstract]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify French to include wherein when a file is stored in an archive file, policy data composed of patent information of a directory and policy attribute data is stored in the archive file as taught by Howard for the purpose of assigning less frequently used data to mass storage which is more economical and also is more secure.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of French and Howard and further in view of US Pat No 6,195,695 issued to Cheston et al (hereafter Cheston).

Claim 13:

The combination of French and Howard discloses the elements of claims 1 and 12 as noted above but fails to disclose a registering unit reading and registering the policy data stored as a hidden file in the archive file, when the file is backed up. Cheston discloses further comprising a registering unit reading and registering the policy data stored as a hidden file in the archive file, when the file is backed up [col 2, lines 43-54]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of French and Howard to include further comprising a registering unit reading and registering the policy data stored as a hidden file in the archive file, when the file is backed up as taught by Cheston for the purpose of dividing the files into active and not available for current use [Cheston, col 3, lines 50-55].

Claim 14:

The combination of French and Howard discloses the elements of claims 1, 12 and 13 as noted above.

The combination of French and Howard fails to disclose wherein when a file is restored, comparison is made between path information of a directory to be generated and path information of a directory within the policy data stored as the hidden file in the archive file, and the policy attribute data is set for the directory the path information of which matches.

Cheston discloses restoring from a corrupted executable application and/or operating system (and a resulting crash) [col 2, lines 15-61].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Kawaguchi, Howard and Cheston to include wherein when a file is restored, comparison is made between path information of a directory to be generated and path information of a directory within the policy data stored as the hidden file in the archive file, and the policy attribute data is set for the directory the path information of which matches.

The ordinarily skilled artisan would have been motivated to modify the combination of Kawaguchi, Howard and Cheston per the above for the purpose of restoring a file that becomes corrupted during a system crash.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over French in view of US Pat No 6,507,813 to Veditz et al (hereafter Veditz).

Claim 9:

French discloses the elements of claim 1 as noted above but fails to disclose a policy violation registering unit registering policy violation information indicating a policy attribute violation to corresponding policy attribute data, if a file operation which violates the policy attribute data is performed. Veditz discloses a policy violation registering unit registering policy violation information indicating a policy attribute violation to corresponding policy attribute data, if a file operation which violates the policy attribute data is performed [col 21, lines 1-10]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify French to include further comprising a policy violation registering unit registering policy violation information indicating a policy attribute violation to corresponding policy attribute data, if a file operation which violates the policy attribute data is performed as taught by Veditz for the purpose of warning a user that a file that is about to be opened does not have an assigned driver [col 21, lines 1-10].

Claim 10:

The combination of French and Veditz discloses the elements of claims 1 and 9 as noted above but fails to disclose a policy recovering unit causing a file or a directory which violates a policy to comply with the policy, and deleting corresponding policy violation information. Official Notice is taken that deleting corresponding policy violation information is well-known and expected in the art. The skilled artisan would have been motivated to modify the combination of French and Veditz per the above for the purpose of removing an alarm from an alarm log after the system has been restored to normal operation.

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Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over French in view of US Pat No 5,832,527 to Kawaguchi (hereafter Kawaguchi).

Claim 11:

French discloses the elements of claim 1 as noted above but fails to disclose wherein information of a total file size of files within a directory is registered as policy attribute data of the directory. Kawaguchi discloses wherein information of a total file size of files within a directory is registered as policy attribute data of the directory [Fig 10, col 10, lines 10-15]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify French to include wherein information of a total file size of files within a directory is registered as policy attribute data of the directory as taught by Kawaguchi for the purpose of setting up an efficient memory management system.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi in view of Howland.

Claim 17:

Kawaguchi discloses setting policy attribute data indicating a policy on which file management is based, in correspondence with path information of a directory [col 4, lines 9-43] but fails to disclose assigning at least one of policy attribute data for files in the directory to be inherited to a subdirectory, and assigning specified policy attribute data for files in the subdirectory to a corresponding subdirectory when moving the directory. Howland discloses assigning at least one of policy attribute data for files in the directory to be inherited to a subdirectory, and assigning specified policy attribute data for files in the subdirectory to a

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corresponding subdirectory when moving the directory [col 3, lines 8-12]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kawaguchi to include assigning at least one of policy attribute data for files in the directory to be inherited to a subdirectory, and assigning specified policy attribute data for files in the subdirectory to a corresponding subdirectory when moving the directory as taught by Howland.

The ordinarily skilled artisan would have been motivated to modify Kawaguchi per the above for the purpose of reducing the number of levels in the tree structure to in to expedite searching.

Response to Arguments

3. Applicant's arguments filed 8/23/2004, have been fully considered and most of the arguments are moot based on supra new grounds of rejection. The following argument will be considered in detail because it pertains to claim 17 which was not amended and the grounds of rejection were not changed.

Applicant Argues:

Applicant states in the second paragraph on page 11 "The cited portion of Kawaguchi describes hard links each of which define a relationship between a directory and a file (see column 4, lines 25-27) and soft (or symbolic) links, each of which is 'determined by a user when creating a file, and there is no means to change the contents' (column 4, lines 30-32), presumably of the symbolic link."

Examiner Responds:

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Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., there is no means to change the contents) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant Argues:

Applicant states in the second paragraph on page 11 "However, Howland et al does not disclose assignment of policy attribute data to the file, as recited in claim 17. All that occurs in the method taught by Howland et al is a change in the index to establish a pointer between the child and the new parent, so that the attribute of the new parent can be provided in response to a request."

Examiner Responds:

Examiner is not persuaded. It is expedient to reproduce the claim 17 limitation of concern.

assigning at least one of policy attribute data for files in the directory to be inherited to a subdirectory, and assigning specified policy attribute data for files in the subdirectory to a corresponding subdirectory when moving the directory

Howland discloses in at least column 3, lines 45-53, that each root and child node has at least one attribute. Furthermore, the attribute in a child node can be inherited. In column 4, lines 38-50, Howland discloses that the attribute assigned to a child node can be changed when the child node is moved from a first parent node to a second parent node. Examiner maintains that Howland reads on above limitation.

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Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Etienne LeRoux

12/16/2004


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